

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PETER SPYTEK,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of the
Social Security Administration,

Defendant.

)
)
)
)
)
)
)
)
)
)
)
)

Case No. C09-1687-RSM

**ORDER REVERSING AND
REMANDING CASE FOR
AWARD OF BENEFITS**

The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) The final decision of the Commissioner is REVERSED and the case is REMANDED to the Social Security Administration for the purpose of awarding benefits.
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

DATED this 10th day of September 2010.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE